

## FORTY-THIRD DAY

(Continued)

(Friday, March 24, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

## LEAVE OF ABSENCE GRANTED

Mr. Alsup was, on yesterday, granted leave of absence for today on account of illness in his family, on motion of Mr. Fisher.

RELATIVE TO HOUSE BILL  
NO. 646

(By Unanimous Consent)

On motion of Mr. Holekamp, the caption of House Bill No. 646 was ordered amended to conform to changes made in the body of the bill.

## BILL RE-COMMITTED

On motion of Mr. Reader, House Bill No. 279 was re-committed to the Committee on Public Health.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 644, "An Act to amend Section 10 and Section 13, of Chapter 27, of the Acts of the Forty-second Legislature, Regular Session, pages 750-751; amending Section 10, of Chapter 27, with reference to the salary to be paid the deputy clerk of the County Court of Jefferson County at Law; and providing for the salary to be paid the official shorthand reporter of said court; amending Section 13, of said Chapter 27, with reference to the salary to be paid the judge of said court; and providing that if any paragraph, clause, or sentence of this Act be held unconstitutional, the rest of the Act shall be held valid, and declaring an emergency."

H. B. No. 822, "An Act to validate, ratify, approve, conform, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, not in excess of the limit now provided by

law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action; and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient and void or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property, etc., and declaring an emergency."

H. B. No. 596, "An Act creating the office of county purchasing agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred fifty thousand (150,000) inhabitants, according to the last preceding Federal Census, or any succeeding Census; providing for the appointment of such agent; prescribing his duties, and fixing his compensation; making it unlawful for any person, firm or corporation to purchase any supplies, materials, and equipment for, or to contract for, any repairs to property used by such county or any subdivision, officer, or employe thereof, except such purchasing agent, and making it unlawful for the county auditor to draw, or for the county treasurer to honor, any county warrants drawn for such supplies, etc., and declaring an emergency."

HOUSE BILL NO. 167 ON PAS-  
SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 167, A bill to be entitled "An Act making appropriations for the support and maintenance of the State Government for the two-year period, beginning September 1, 1933, and ending August 31, 1935, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Harman pending.

Mr. Harman offered the following amendment to the section of the committee amendment relative to the State Department of Health:

Amend committee amendment to House Bill No. 167, page 21, line 38, by adding the following: "No salary to exceed \$100 per month."

The amendment was adopted.

Mr. Reader offered the following amendment to this section of the committee amendment:

Amend corrected copy of committee amendment to House Bill No. 167, page 19, lines 34 and 35, by striking out the words, "control and prevention of malaria, technical assistant," and insert in lieu thereof the following words: "malaria technician, with at least one year's experience in malarial diagnosis."

KAYTON,  
READER.

The amendment was adopted.

Mr. Weinert offered the following amendment to this section of the committee amendment:

Amend printed committee amendment to House Bill No. 167, on page 20, by inserting between lines 35 and 36 the following: "1 bacteriologist, \$2,000," and by adding, on page 21, line 38, after the word "help": "and for making toxoid and typhoid vaccine to be distributed to health officers of the State for indigent citizens, \$10,000," each year, instead of "\$7,000."

WEINERT,  
KAYTON.

Mr. Fain called for a division of the amendment.

Question first recurring on the section of the amendment providing for a "bacteriologist," yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—73

Alexander.	Fuchs.
Anderson	Graves.
of Johnson.	Haag.
Barrett.	Hankamer.
Bradley.	Harman.
Butler.	Hartzog.
Cathey.	Head.
Caven.	Hicks.
Chastain.	Hill of Webb.
Clayton.	Holekamp.
Colson.	Hyder.
Crossley.	James.
Devall.	Jefferson.
Dwyer.	Jones of Atascosa.
Ford.	Jones of Shelby.

Kayton.	Reed of Bowie.
Kyle of Hays.	Reed of Dallas.
Kyle of Palo Pinto.	Riddle.
Lemens.	Rogers of Hunt.
Leonard.	Rogers
Lindsey.	of Ochiltree.
Long.	Rollins.
Lotief.	Russell.
Magee.	Stinson.
Mackay.	Stovall.
McCullough.	Sullivant.
McDougald.	Tarwater.
McGregor.	Thomas.
McKee.	Tillery.
Mitcham.	Townsend.
Moffett.	Turlington.
Moore.	Van Zandt.
Morrison.	Wagstaff.
Morse.	Walker.
Munson.	Weinert.
Ratliff.	Wells.
Ray.	Wood.
Reader.	

Nays—22

Baker.	Pope.
Bourne.	Puryear.
Camp.	Ross.
Cowley.	Scarborough.
Dean.	Scott.
Fain.	Shults.
Glass.	Stanfield.
Good.	Steward.
Huddleston.	Vaughan.
Hunt.	Winningham.
Pavlica.	Young.

Present—Not Voting

Mr. Speaker.	Mathis.
Dunlap.	Renfro.
Fisher.	Tennyson.

Absent

Adamson.	Harrison.
Aikin.	Hester.
Anderson	Hill of Brazoria.
of Bexar.	Hodges.
Barron.	Holland.
Beck.	Holloway.
Bedford.	Hoskins.
Burns.	Jackson.
Calvert.	Johnson
Canon.	of Anderson.
Coombes.	Jones of Runnels.
Daniel.	Laird.
Davidson.	Latham.
Dunagan.	McClain.
Duvall.	Merritt.
Engelhard.	Metcalf.
Few.	Nicholson.
Golson.	Palmer.
Goodman.	Parkhouse.
Greathouse.	Ramsey.
Griffith.	Roberts.
Harris.	Savage.

Shannon.  
Smith.

West.

Absent—Excused

Alsup.  
Hughes.

Johnson of Dimmit.  
Patterson.

Question then recurring on the section of the amendment relative to "typhoid vaccine," it was adopted.

Mr. Pope moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m., today, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Beck offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 20, line 40, by striking out the figures "\$2,700," and inserting in lieu thereof the figures "\$2,100."

The amendment was lost.

Mr. Kayton offered the following amendment to this section of the committee amendment:

Amend committee amendment to House Bill No. 167, page 21, line 21, by adding the words: "No field salary to exceed \$110 per month, and no clerical salary to exceed \$100 per month."

The amendment was adopted.

#### ADJOURNMENT

Mr. Long moved that the House adjourn until 10 o'clock a. m., next Monday.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—50

Alexander.	Haag.
Anderson	Hankamer.
of Johnson.	Head.
Barrett.	Hicks.
Bradley.	Hill of Brazoria.
Camp.	Hill of Webb.
Cathey.	Hunt.
Caven.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Dean.	of Anderson.
Devall.	Jones of Atascosa.
Fisher.	Laird.
Ford.	Latham.
Good.	Lemens.
Graves.	Lindsey.

McGregor.  
Merritt.  
Morrison.  
Nicholson.  
Pavlica.  
Puryear.  
Ray.  
Reader.  
Renfro.  
Riddle.

Ross.  
Russell.  
Scarborough.  
Stanfield.  
Steward.  
Stovall.  
Townsend.  
Van Zandt.  
Vaughan.  
Wood.

Nays—39

Anderson  
of Bexar.  
Baker.  
Barron.  
Bedford.  
Bourne.  
Butler.  
Chastain.  
Clayton.  
Fain.  
Glass.  
Goodman.  
Hartzog.  
Holekamp.  
Huddleston.  
Hyder.  
Kyle of Hays.  
Leonard.  
Lotief.  
Mackay.

Magee.  
McDougald.  
Mitcham.  
Moffett.  
Morse.  
Munson.  
Pope.  
Ratliff.  
Reed of Bowie.  
Reed of Dallas.  
Rollins.  
Stinson.  
Tennyson.  
Tillery.  
Wagstaff.  
Walker.  
Weinert.  
Wells.  
Winningham.  
Young.

Absent

Adamson.  
Aikin.  
Beck.  
Burns.  
Calvert.  
Canon.  
Colson.  
Coombes.  
Daniel.  
Davidson.  
Dunlap.  
Dunagan.  
Duvall.  
Dwyer.  
Engelhard.  
Few.  
Fuchs.  
Golson.  
Greathouse.  
Griffith.  
Harman.  
Harris.  
Harrison.  
Hester.  
Hodges.  
Holland.  
Holloway.  
Hoskins.  
Jackson.

Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Palo Pinto.  
Long.  
Mathis.  
McClain.  
McCullough.  
McKee.  
Metcalf.  
Moore.  
Palmer.  
Parkhouse.  
Ramsey.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Savage.  
Scott.  
Shannon.  
Shults.  
Smith.  
Sullivant.  
Tarwater.  
Thomas.  
Turlington.  
West.

Absent—Excused

Alsup.  
Hughes.

Johnson of Dimmit.  
Patterson.

The House, accordingly, at 11:15 o'clock a. m., adjourned until 10 o'clock a. m., next Monday, March 27.

## APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Criminal Jurisprudence: House Bill No. 844.

Insurance: House Bills Nos. 680, 125, 151, and 372.

Public Health: House Bills Nos. 183 and 279.

Labor: House Bill No. 25.

The Committee on Insurance filed an adverse report on House Bill No. 126.

The Committee on Insurance filed an adverse report, with a minority favorable report, on House Bill No. 113.

### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, March 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 596, "An Act creating the office of county purchasing agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants, and less than one hundred fifty thousand (150,000) inhabitants, as shown by the latest United States Census, and containing two (2) cities of fifty thousand (50,000) inhabitants, or more, each, as shown by the latest United States Census; providing for the appointment of such agent; prescribing his duties and fixing his compensation; making it unlawful for any person, firm, or corporation to purchase any supplies, materials, and equipment for, or to contract for any repairs to, property used by such county or any subdivision, officer, or employe thereof, except such purchasing agent, and making it unlawful for the county auditor to draw, or for the county treasurer to honor, any county warrants drawn for such supplies, materials, repairs, and

equipment, unless the same shall have been purchased or contracted for by such agent; providing that such agent shall annually file an inventory of all property of such county with the commissioners court of such county, and prescribing the duties of the county auditor with reference to such inventory; providing for the transfer by such agent of county supplies, materials, and equipment from a subdivision, department, officer, or employe of such county to other subdivisions, departments, officers, and employes of said county; prescribing a penalty for the violation of this act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROLLINS, Acting Chairman.

Committee Room,

Austin, Texas, March 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 644, "An Act to amend Section 10 and Section 13 of Chapter 27 of the Acts of the Forty-second Legislature, Regular Session, pages 750-751; amending Section 10, of Chapter 27, with reference to the salary to be paid the deputy clerk of the County Court of Jefferson County at Law; and providing for the salary to be paid the official shorthand reporter of said court; amending Section 13 of said Chapter 27 with reference to salary to be paid the judge of said court; and providing that if any paragraph, clause, or sentence of this Act be held unconstitutional, the rest of the Act shall be held valid, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROLLINS, Acting Chairman.

Committee Room,

Austin, Texas, March 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 822, "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, not in excess

of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action; and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient, and void, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; and all equalizations of said valuations of such property for taxation purposes made by the boards of equalization acting for any such school districts, which are irregular or insufficient because the reports of such equalizations were adopted and accepted orally, or by other informal action; and the Acts of making such equalization, were made orally or informally, or in incomplete form; providing this Act shall not affect suits pending at the time same becomes effective; and providing further that this Act shall not validate any valuation placed upon property by any board of equalization or any tax assessor where such property has been valued in excess of its reasonable cash market value, or where such property has been discriminated against as to value or placed upon the rolls at a higher value than property of like kind and character, or at a greater percentage of its value than other property assessed for taxation, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROLLINS, Acting Chairman.

#### FORTY-FOURTH DAY

(Monday, March 27, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Baker.
Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Beck.
Alsup.	Bourne.
Anderson	Bradley.
of Bexar.	Burns.
Anderson	Butler.
of Johnson.	Calvert.

Camp.	Lotief.
Canon.	Magee.
Cathey.	Mackay.
Caven.	Mathis.
Chastain.	McClain.
Clayton.	McCullough.
Coombes.	McDougald.
Cowley.	McGregor.
Crossley.	McKee.
Daniel.	Merritt.
Davidson.	Metcalfe.
Dean.	Mitcham.
Devall.	Moffett.
Dunlap.	Moore.
Dunagan.	Morrison.
Duvall.	Morse.
Dwyer.	Munson.
Engelhard.	Nicholson.
Fain.	Palmer.
Few.	Parkhouse.
Fisher.	Patterson.
Ford.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Ray.
Graves.	Reader.
Greathouse.	Reed of Bowie.
Griffith.	Reed of Dallas.
Haag.	Renfro.
Hankamer.	Riddle.
Harman.	Roberts.
Harris.	Rogers of Hunt.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hester.	Ross.
Hicks.	Russell.
Hill of Webb.	Savage.
Hodges.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Holloway.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hughes.	Steward.
Hunt.	Stinson.
Hyder.	Stovall.
Jackson.	Sullivant.
James.	Tarwater.
Jefferson.	Tennyson.
Johnson	Thomas.
of Anderson.	Tillery.
Jones of Atascosa.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.
Kyle of Hays.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Laird.	Weinert.
Latham.	Wells.
Lemens.	West.
Leonard.	Winningham.
Lindsey.	Wood.
Long.	Young.